

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Valerie Anderson, individually and
on behalf of all others similarly situated,

Case No. 23-cv-533 (SRN/DTS)

Plaintiff,

ORDER

v.

Fortra, LLC,

Defendant.

Plaintiffs Valerie Anderson, Robert Taylor, Edward Hubler, Muhammed Zahid, Alauntae Butts, Marquese York, Tara Hartzel Vancosky, Brett Yonally, Branton Underwood, K.U. (minor) through Branton Underwood, Irida Gonzalez, and Linda Caudill ("Plaintiffs"), individually and on behalf of all others similarly situated, moved to Appoint Interim Co-Lead Counsel and Executive Committee Counsel under Fed. R. Civ. P. 23(g)(3) [Dkt. No. 34]. Defendant does not oppose the motion. [Dkt. No. 37]. For good cause shown, the Motion is hereby **GRANTED**.

IT IS HEREBY ORDERED:

1. The Court appoints Bryan L. Bleichner (Chestnut Cambronne PA) and Brian C. Gudmundson (Zimmerman Reed LLP) as Interim Co-Lead Class Counsel.

2. The Court appoints an Executive Committee Counsel composed Nathan D. Prosser (Hellmuth & Johnson PLLC) as Chair of the Executive Committee, Joseph M. Lyon (The Lyon Firm, LLC), Danielle L. Perry (Mason LLP), Dylan J. Gould (Markovits, Stock & DeMarco, LLC), David A. Goodwin (Gustafson Gluek PLLC), Gary M. Klinger (Milberg Coleman Bryson Phillips Grossman PLLC), John G. Emerson (Emerson Law

Firm, PLLC), Barton D. Cohen (Bailey & Glasser, LLP), Karen Hanson Riebel (Lockridge Grindal Nauen, P.L.L.P.), John A. Yanchunis (Morgan & Morgan Complex Litigation Group), and Kenneth J. Grunfeld (Golomb Spirt Grunfeld P.C.).

3. Interim Co-Lead Class Counsel shall assume responsibility for the following duties during all phases of litigation:

- a) Coordinating the work of preparing and presenting all of Plaintiffs' claims and otherwise coordinating all proceedings, including organizing and supervising the efforts of Plaintiffs' Counsel in a manner to ensure that Plaintiffs' preparation is conducted effectively, efficiently, expeditiously, and economically;
- b) Delegating work responsibilities and monitoring the activities of all Plaintiffs' counsel in a manner to promote the orderly and efficient conduct of this litigation and to avoid unnecessary duplication and expense;
- c) Calling meetings of Plaintiffs' counsel for any appropriate purpose, including coordinating responses to questions of other parties or of the Court, and initiating proposals, suggestions, schedules, and any other appropriate matters;
- d) Determining (after consultation with other co-counsel as may be appropriate) and presenting (in briefs, oral argument, or such other fashion as his/her designee may deem appropriate) to the Court and opposing parties the position of the Plaintiffs on all matters arising during pretrial (and, if appropriate, trial) proceedings;
- e) Serving as the primary contact for communications between Plaintiffs and Defendant, and acting as spokespersons for Plaintiffs vis-à-vis Defendant and the Court;
- f) Directing and executing on behalf of Plaintiffs the filing of pleadings and other documents with the Court;
- g) Appearing at court hearings and conferences regarding the case as most appropriate for effective and efficient representation, and speaking for Plaintiffs at such hearings and conferences;

- h) Receiving and initiating communication with the Court and the Clerk of Court (including receiving orders, notices, correspondence, and telephone calls) and dispensing the content of such communications among Plaintiffs' Counsel;
 - i) Initiating, coordinating, and conducting discussions and negotiations with counsel for defendant on all matters, including settlement;
 - j) Negotiating and entering into stipulations with opposing counsel as necessary for the conduct of the litigation;
 - k) Initiating, coordinating, and conducting discovery on Plaintiffs' behalf to ensure its efficiency;
 - l) Selecting, consulting with, and employing experts for Plaintiffs, as necessary;
 - m) Encouraging and enforcing efficiency among all Plaintiffs' Counsel;
 - n) Assessing Plaintiffs' counsel for the costs of the litigation;
 - o) Preparing and distributing periodic status reports to the Court and to the parties as the Court may request;
 - p) Developing and recommending for Court approval practices and procedures pertaining to attorneys' fees and expenses as further detailed below and, on an ongoing basis, monitoring and administering such procedures. At such time as may be appropriate, Co-Lead Counsel also will recommend apportionment and allocation of fees and expenses subject to court approval; and
 - q) Performing such other duties as are necessary in connection with the prosecution of this litigation or as may be further directed by the Court
4. Executive Committee counsel shall assist in the conduct of these activities at the direction of Interim Co-Lead counsel.
5. Any discussions of a settlement of this litigation shall be conducted by Interim Lead Counsel and any counsel designated by Interim Co-Lead Counsel.

6. In advance of each status conference, Interim Co-Lead Counsel and Defendant's Counsel will meet and confer regarding the agenda for the conference. Unless otherwise ordered, Interim Co-Lead Counsel and Defendant's counsel will file a joint notice setting out the proposed agenda and the parties' joint and/or respective positions no later than five calendar days prior to each status conference.

7. This Order applies to all actions included in the above-captioned consolidated matters and all subsequently consolidated actions.

8. Interim Co-Lead Counsel must serve a copy of this Order and all future orders promptly by e-mail, overnight delivery service, facsimile, or other expeditious electronic means on counsel for Plaintiffs in each related action not yet consolidated in this proceeding to the extent that Interim Lead Counsel is aware of any such action(s) and on all attorneys for Plaintiffs whose cases have been so consolidated but who have not yet registered for ECF.

Dated: April 28, 2023

s/David T. Schultz
DAVID T. SCHULTZ
U.S. Magistrate Judge